

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Encore Operating LP and William A.)
Stewart d/b/a William A. Stewart &)
Associates,)

Plaintiffs,)

vs.)

Stephen Morris, Blue Diamond LLC,)
Terina Bailey, Joann Nelson, and Panda)
Petroleum, Inc.,)

Defendants;)

Case No. 1:06-cv-086

Stephen Morris, Blue Diamond LLC, Terina)
Bailey and Joann Nelson,)

Third-Party Plaintiffs,)

vs.)

Scott Schroeder,)

Third-Party Defendant.)

ORDER OF DISMISSAL

Encore Operating LP and William A.)
Stewart & Associates,)

Plaintiffs,)

vs.)

Evertson Operating Company, Inc.,)
Evertson Well Service, Inc., Evertson)
Exploration, LLC, Evertson Oil Company,)
Inc., Evertson Limited Family Partnership,)
Evertson Management, Inc., Evertson)
Energy Partners, LLC, Evertson Energy)
Partners Royalty, LLC, Castronics, Inc.,)
and Everair, LLC,)

Defendants.)

Case No. 1:06-cv-088

On October 24, 2007, the parties filed a pleading entitled “Rule 41(a)(1) Stipulation of Dismissal.” The parties have informed the Court that they have reached an agreement as to the resolution of this matter. The Court **ADOPTS** the stipulation in its entirety (Docket No. 99) and **ORDERS** that the case be dismissed with prejudice and without costs or disbursements to any party.

IT IS SO ORDERED.

Dated this 25th day of October, 2007.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court